

Call for Contributors – Volume 40 – 2015/2016

Possible Topics

1. Technology and Evidence

Almost every week it seems that technology and legal issues surface. LawNow could look at: The *Fearon* case decided by the Supreme Court of Canada (SCC) set out conditions whereby cell phones can be looked at by the police and information there used as evidence. Facebook pages are becoming fair game for personal injury litigation. ISPs must release some information about their customers. Social media of all kinds is becoming commonplace in Canadian courts. There is a Calgary case involving “wearable technology”: in this case, a fitbit.

2. Municipal Law

This area of probably has the most impact on our everyday lives. The provincial government is in the midst of an overhaul of the *Municipal Government Act* that we could analyze. Noisy neighbours, barking pets, overhanging branches: it might be fun to look at the top 10 aggravations that City Halls deal with. Some cities, notably Vancouver have City Charters. What do these say and are they necessary? What are the different municipal taxes/user fees and how are they assessed? Can you fight City Hall?

3. The Magna Carta: 800 years old

For the law/history geeks among us, a special report of 3 articles: 1. A Toronto lawyer and his wife have arranged to have a copy of the Magna Carta come to Canada (Including Edmonton!) We would like to approach them to write the story for how they made this happen. 2. What is the Magna Carta and what does it say? 3. What has been its significance through history and why is it still relevant today?

4. Sports Law

There has been a growing awareness of concussion/head injuries in professional sports and some interesting class action settlements. Who should pay to rescue and are there laws about this? Waivers for dangerous/extreme sports: do they work? We could look at sports teams and gender issues. Should there be rules for parent/spectator behaviour? To what standard should CFL, NHL and NFL players be held for their off-field behaviour? What about Canadian university teams and behaviour issues?

5. Poverty and Homelessness

What is the status of various poverty reduction strategies across the country? How are Edmonton and Calgary's End Homelessness projects progressing? There is an interesting study out this week showing that Alberta women are falling far behind in terms of the economy, what are the reasons for this and the implications? There are a surprising number of Canadian forces veterans living on the street and there are some programs to help them. An article on the effect of poverty on children?

6. What is going on in our jails?

We could look at the recent cases and publicity about solitary confinement. There is the new law to be introduced this spring on life sentences. Cutbacks are closing prison libraries and farms. Why? Mandatory

minimum sentences mean judges can often not tailor a sentence to the person before them. Going to jail because you can't pay a fine? Really? The Auditor General of Canada says the Nunavut jail is in disgraceful condition. Maybe an op-ed piece – when did we get so mean?

7. Where in the World are our Judges?

A few years ago we did a fun special report on "Where in the world are our Lawyers" describing programs around the world where lawyers help developing countries with their legal system. Canadian judges are prized around the world for their expertise and knowledge. A similar special report of 3 articles would be interesting.

8. Vulnerable Seniors

Seniors are one of the fastest growing demographics in Canada. Sooner or later, we will all be there! As well as elder abuse, we could look at consumer issues, retirement issues, tax issues, and poverty issues involving seniors. Perhaps an article about seniors and the use of mediation to settle intra-family disputes? We could look at articles that explain the use of Enduring Powers of Attorney, Personal Directives, supported decision-making, co-decision-making and Guardian and Trusteeship orders. There is always interest in grandparents' rights.

9. The *Carter* Decision and Physician Assisted Death

This is a "must-cover" we would suggest. There are so many voices to hear from: those who support the decision; those who are against it; doctors; ethicists; and families who have dealt with this issue. Of course, we will need an analysis of the decision itself. An article that traces the shift from *Rodriguez* to *Carter* would be very interesting. We could also look at other places around the world that already have laws in place to deal with physician-assisted death, including Quebec.

10. Transgender Issues

We could look at the bill on transgender rights that is presently before Parliament. There has been extensive debate about it in both the House of Commons and the Senate and the bill might pass or might not, before the end of this parliamentary session. Laws are in place in Ontario, Saskatchewan and Alberta to make changing government documentation about gender identification easier. What are the implications in sports law, employment, discrimination? What are the categories of sexual identity? It would be good to get a transgender person to write from personal experience to describe the challenges this community faces.

11. Access to Justice

There is an interesting Alberta case that the right to counsel must include access to counsel, and the Supreme Court of Canada recently ruled that court hearing fees in B.C. are unconstitutional because they interfere with access to justice. Some wind farm litigants who lost had their court costs slashed. What about crowd-sourcing for legal causes? Edmonton website Justicefundr is working on this. Self-represented litigants aren't going away, in fact, their numbers seem to be constantly increasing.

12. Employment Law/Unions

There have been several interesting cases from the Supreme Court of Canada in the last 6 months on unions and labour law. We could look at some of these. Brad Wall is actually talking about using the Notwithstanding Clause to get around the ruling about essential services. The SCC has said the RCMP can unionize, what will this

mean? Alberta's PIPA legislation was struck down as unconstitutional after a picket line was photographed and an article could outline what happened in light of that decision. In that decision, the SCC had some interesting things to say about unions.

13. Senate Reform

Ok, go ahead and groan, but this is going to be BIG in the next year! The Duffy trial and the Senate audit loom. And, after the next election, there is going to have to be some movement on senate reform. Senators themselves are anxious to move forward. What are the implications of the independent Liberal Senate caucus?

14. Environmental Law

In Alberta, people are learning of the tax consequences of disaster relief payments. Wind farms are in the news and in litigation, the cost of our home insurance is soaring because of the frequency of climate-change driven weather. The *Criminal Code* is being used as a sanction for catastrophic environmental damage in the Lac Megantic case. Water is getting to be a very valuable commodity, how is environment law protecting this asset?

15. Family Law

There have been some interesting developments in matrimonial property settlements we could report on. What is the effect of property settlement on spousal support: is it double-dipping? Debts incurred before, during and after marriage could be addressed. The Alberta Law Reform Institute is looking at reforms to the *Matrimonial Property Act* and we could look at what ideas it is exploring. An article could look at debt and marriage: debt brought in, debt incurred together and debt at the date of separation. We could look at unjust enrichment and cohabitation. Some very practical requests we have had lately: how to do your own desk divorce and the rules (or not) for changing your name after marriage.

16. The Law and Students

Students need information about signing leases for rented accommodation. Also, what about student residences: do students have legal rights or responsibilities for what goes on in the dorm? We could look at the dentistry students at Dalhousie to try to decipher what a fair and transparent disciplinary process should look like. What are universities' policies about plagiarism and other transgressions? Are they uniform, transparent and fair? Freedom of expression and freedom of association are sometimes issues when there are clashes on campuses between groups with strongly held but opposite positions on sensitive issues like abortion. Articles about Student Legal Services and Pro Bono Students Canada would be beneficial in highlighting the work these groups do. Alberta has now passed a law allowing Gay Straight Alliances in schools if a student requests one; we could look at the new law and what it will mean for students.

17. Families at Risk

Each province has a child welfare regime: what are the similarities and the differences and what are the underlying philosophies that guide them? What is the Office of the Child Advocate and what is the mandate of the office? Sometimes a parent's religious beliefs or cultural practices can lead to a clash with Child Welfare workers and legal repercussions. Women in shelters mention that they have difficulty understanding the law, and that often finding a place to stay involves sharing sensitive personal information. Can anything be done about that? Once a child is apprehended, what is the process for parents?